

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

ANTHONY RAPP,

Plaintiff,

-against-

KEVIN SPACEY FOWLER a/k/a KEVIN SPACEY,

Defendant.

Case No. 1:20-cv-09586 (LAK) (SDA)

**DECLARATION OF CHASE A.  
SCOLNICK IN SUPPORT OF  
DEFENDANT'S MOTION *IN LIMINE*  
NO. 3 TO PRECLUDE PLAINTIFF  
FROM OFFERING EXPERT  
TESTIMONY ON CREDIBILITY  
ISSUES AND OTHER IMPROPER  
OPINIONS OF HIS EXPERT  
WITNESS, LISA ROCCHIO, Ph.D.**

Under 28 U.S.C. § 1746, I, Chase A. Scolnick, declare under penalty of perjury, as follows:

1. I am a member of the Bar of the State of New York and the bar of this Court. I am also a partner of Keller / Anderle LLP, attorney for defendant Kevin Spacey Fowler a/k/a Kevin Fowler (“Mr. Fowler”). This declaration is made in support of Mr. Fowler’s Motion *in Limine* No. 3 to preclude plaintiff Anthony Rapp from offering expert testimony on credibility issues and other improper opinions of his expert witness, Lisa Rocchio, Ph.D.

2. Attached as **Exhibit 1** to this declaration is a true and correct copy of Plaintiff’s expert witness, Lisa M. Rocchio, Ph.D.’s Summary of Forensic Psychological Evaluation of Anthony Rapp, dated February 25, 2021.

3. Attached as **Exhibit 2** to this declaration is a true and correct copy of selected pages from the Reporter’s Transcript of the Deposition of Lisa Rocchio, Ph.D, taken in this action on April 16, 2021.

4. Attached as **Exhibit 3** to this declaration is a true and correct copy of selected pages from the Reporter’s Transcript of the Deposition of Alexander Bardey, M.D., taken in this action on January 26, 2022. Pursuant to the Court’s September 26, 2022 Order re Sealing (ECF No. 238), Mr. Fowler has filed portions of the transcript pages that comprise this exhibit under seal (with

redactions in the publicly-filed version).

I declare under penalty of perjury that the foregoing is true and correct.

Dated: September 26, 2022  
Irvine, California

Respectfully submitted,

/s/ Chase A. Scolnick  
Chase A. Scolnick  
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*Counsel for Defendant Kevin Spacey  
Fowler a/k/a Kevin Spacey*

**CERTIFICATE OF SERVICE**

In accordance with Local Rule 5.2, I, Chase A. Scolnick, hereby certify that on September 26, 2022 this document filed through the ECF system will be sent electronically to the registered participants as identified in the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants.

/s/ Chase A. Scolnick  
Chase A. Scolnick